| UNITED STATES DISTRICT COURT |
|------------------------------|
| WESTERN DISTRICT OF MICHIGAN |
| SOUTHERN DIVISION            |

GAMALIER GONZALEZ, Next Friend of E.G., (a minor child), et al.,

| Plaintiffs,       |   |                        |  |  |
|-------------------|---|------------------------|--|--|
|                   |   | File no: 1:21-cv-488   |  |  |
| v.                |   | HON. ROBERT J. JONKER  |  |  |
| YMCA USA, et al., |   | nerw negativ v vervida |  |  |
| Defendants.       |   |                        |  |  |
|                   | / |                        |  |  |

## ORDER APPROVING MAGISTRATE'S REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on January 26, 2023 (ECF No. 17). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

**ACCORDINGLY, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge (ECF No. 17) is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that this matter is **DISMISSED** without prejudice for lack of proper representation.

**IT IS FURTHER ORDERED** that defendants' motions to dismiss (ECF Nos. 9 and 13) are denied as moot.

## IT IS FURTHER ORDERED that this matter is TERMINATED.

The Court discerns no good-faith basis for appeal of this matter. *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6<sup>th</sup> Cir. 1997); 28 U.S.C. § 1915(a)(3).

| Dated: | February 23, 2023 | /s/ Robert J. Jonker         |
|--------|-------------------|------------------------------|
|        | <u>•</u>          | ROBERT J. JONKER             |
|        |                   | UNITED STATES DISTRICT JUDGE |